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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/506,889	09/07/2004	Haruhito Watanabe	1254-0256PUS1	6735
2292	7590	06/06/2006	EXAMINER	
BIRCH STEWART KOLASCH & BIRCH			VAUTROT, DENNIS L	
PO BOX 747			ART UNIT	
FALLS CHURCH, VA 22040-0747			PAPER NUMBER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/506,889	Applicant(s) WATANABE, HARUHITO	
	Examiner Dennis L. Vautrot	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/12/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statement (IDS) submitted on 12 November 2004 has been received and entered into the record. Since the IDS complies with the provisions of MPEP § 609, the references cited therein have been considered by the examiner. See attached forms PTO-1449.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 – 4 are rejected under 35 U.S.C. 102(e) as being anticipated by **Tanaka et al.** (US Patent Application Publication 2001/0048534).

4. Regarding claim 1, **Tanaka et al.** teaches a transmission origin apparatus for an information transmission system which allows a file to be transmitted between apparatuses based on different systems (See page 3, paragraph [0055] "A transmitting/receiving device transmits and receives image data, audio data, a batch

file, etc. in accordance with instructions from the CPU...connector connects the camera to the communication device through the cable for wire communication.”), characterized by comprising: transmission origin storage means to which the file to be transmitted is saved; and identifying file generating means for generating, in the transmission origin storage system, an identifying file having a unique structure used to identify the transmission origin, in addition to the file to be transmitted, on the basis of a folder structure pre-standardized between the transmission origin apparatus and a transmission destination apparatus. (See page 3, paragraph [0058] “When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on the directory structure.” Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.);

5. Regarding claim 2, **Tanaka et al.** teaches a transmission destination apparatus for an information transmission system which allows a file to be transmitted between apparatuses based on different systems, characterized by comprising: transmission destination storage means to which the transmitted file is saved (See page 4, paragraph [0075] “A transmitting/receiving device transmits and receives the image data and the directory information in accordance with instructions of the CPU.” The destination apparatus is what is receiving the information in this case.);

monitoring means for detecting that a folder structure in a transmission origin storage means provided in a transmission origin apparatus matches a folder structure pre-standardized between the transmission origin apparatus and the transmission destination apparatus to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin (See page 5, paragraph [0093] "After that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer." The printer, in this case, is the transmission destination apparatus to which the identifying file information, also called the directory information, is transmitted to.);

and saving means for saving, to the transmission destination storage means, a file other than the identifying file saved to said transmission origin storage means of the transmission origin apparatus, on the basis of results of the identification by the monitoring means (See page 5, [0107] "If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer." and specifically referring to saving the file, see page 8, [0177] "...the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data receiving device; and the data receiving device stores the received print file in the storage medium.")

6. Regarding claim 3, **Tanaka et al.** teaches an information transmission system that transmits a file between apparatuses based on different systems, characterized by comprising: a transmission origin apparatus and a transmission destination apparatus connected together using a standardized serial interface standard (See page 4, paragraph [0077] "In case of wire communication, a serial interface format such as the RS-232, RS-422, the USB and the IEEE1394 may be used....");

the transmission origin apparatus comprising: transmission origin storage means to which the file to be transmitted is saved; and identifying file generating means for generating, in the transmission origin storage system, an identifying file having a unique structure used to identify the transmission origin, in addition to the file to be transmitted, on the basis of a folder structure pre-standardized between the transmission origin apparatus and a transmission destination apparatus (See page 3, paragraph [0058] "When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on the directory structure." Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.);

the transmission destination apparatus comprising: the transmission apparatus storage means to which the transmitted file is saved (See page 4, paragraph [0075] "A transmitting/receiving device transmits and receives the image data and the directory information in accordance with instructions of the CPU." The destination apparatus is what is receiving the files in this case.);

monitoring means for detecting that a folder structure in a transmission origin storage means provided in a transmission origin apparatus matches a folder structure pre-standardized between the transmission origin apparatus and the transmission destination apparatus to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin origin (See page 5, paragraph [0093] "After that, the printer requests the directory information from the camera. In response to the request the camera reads the directory information and transmits it to the printer." The printer, in this case, is the transmission destination apparatus to which the identifying file information, also called the directory information, is transmitted to.); and

saving means for saving, to the transmission destination storage means, a file other than the identifying file saved to said transmission origin storage means, on the basis of results of the identification by the monitoring means (See page 5, [0107] "If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer." and specifically referring to saving the file, see page 8, [0177] "...the data transmitting device transmits the print file showing the file names of the image files and the print conditions to the data receiving device; and the data receiving device stores the received print file in the storage medium.").

7. Regarding claim 4, **Tanaka et al.** teaches a method for recognizing a system in an information transmission system which method transmits a file between apparatuses

based on different systems (See page 3, paragraph [0055] "A transmitting/receiving device transmits and receives image data, audio data, a batch file, etc. in accordance with the instructions from the CPU."), characterized by comprising:

a folder structure detecting step of detecting a folder structure in transmission origin storage means of a transmission origin apparatus to which the file to be transmitted to transmission destination storage means of a transmission destination apparatus is saved (See page 3 paragraph [0058] "When an inquiry about the structure of directories (folders) including the image files stored in the storage medium is received from the communication device such as the printer, the CPU produces information on the directory structure." Here the origin storage means is the camera. Also, the identifying file includes the structure of folders and the image files as in the source.);

an identifying file monitoring step of detecting that the folder structure in said transmission origin storage means detected in the folder structure detecting step is one pre-standardized between the transmission origin and the transmission destination to identify an identifying file contained in the folder structure and having a unique structure used to identify the transmission origin (See page 5, paragraph [0104] "The printer stores the directory information in the memory, the nonvolatile memory or the storage medium, and then determines whether or not the image file shown in the print job is included in the directory."); and

a copy activation control step of activating and controlling, on the basis of results of the identification in the identifying file monitoring step, copy means for copying a file other than the identifying file saved to said transmission origin storage means, to the

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transmission destination storage means (See page 5, paragraph [0107] "If the image file is included in the directory, the printer requests the file shown in the print job from the camera. In response to the request, the camera transmits the image file to the printer." This copies the file to the destination storage means.)

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Onishi (US Patent Application publication 2001/0002846) Includes Figure 5, which is very similar to the identifying file of the instant application.


Nishikawa (US 6,421,685) teaches synchronizing data between a PDA and a computer using very similar methods to the instant application. Specifically it teaches "...generating a third file for associating a first file stored in the first file apparatus with a second file stored in the second file apparatus."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis L. Vautrot whose telephone number is 571-272-2184. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dv
5/19/2006


JOHN R. COTTINGHAM
PRIMARY EXAMINER


25 May 2006